

ORDINANCE NO. 379

BY Johnston

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, REGULATING TRAFFIC IN AND UPON THE STREETS THEREOF; DEFINING THE TERMS "VEHICLE," "MOTOR VEHICLE," "STREET," "INTERSECTION," "PEDESTRIAN CROSSWAY," "RIGHT OF WAY," "U TURN," and "PRIVATE ROAD AND DRIVEWAY"; PRESCRIBING THE PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF PAYETTE, IDAHO, IN CONFLICT WITH THIS ORDINANCE.

Be it ordained by the Mayor and Council of the City of Payette, Idaho:

Section 1. The laws of the road everywhere in the City of Payette shall be as specified in the following sections.

Section 2. DEFINITIONS.

(a) "VEHICLE". Every device in, upon or by which any person or property is or may be transported, or drawn upon a street, excepting devices moved by human power, or used exclusively upon stationary tracks; provided that for the purposes of this ordinance a bicycle and a ridden animal, shall be deemed vehicles.

(b) "MOTOR VEHICLE". Every vehicle as herein defined, which is self propelled.

(c) "STREET". All streets, Avenues, boulevards and public driveways.

(d). "INTERSECTION". The area embraced within the prolongation of the lateral boundary lines of two or more streets which join one another at an angle, whether or not one street crosses the other.

(e) "PEDESTRIAN CROSSWAY". That portion of an intersection included within the projected lines of the adjacent sidewalk.

(f) "RIGHT OF WAY." The privilege of the immediate use of the street.

(g) "U TURN". A reversing and turning around so as to go in the opposite direction.

(h) "PRIVATE ROAD OR DRIVEWAY." Every road or driveway not open to the public, for purposes of vehicular travel.

Section 3. DRIVE ON RIGHT HAND SIDE OF STREET.

Every vehicle shall keep to the right hand boundary of the street upon which it is moving so as to allow more swiftly moving vehicles free passage to the left.

Section 4. MEETING VEHICLES.

Vehicles proceeding in the opposite direction shall pass to the right, giving one half of the road to each.

Section 5. OVER TAKING VEHICLES.

(a) A vehicle overtaking another vehicle proceeding in the same direction shall pass to the left.

(b) The overtaking vehicle shall not again drive to the right side of the street until safely clear of the overtaken vehicle.

(c) It shall be the duty of the driver of every overtaken vehicle to turn to the right and give one half the street to the overtaking vehicle, and not to increase its speed while being passed.

(d) A vehicle shall not be driven to the left side of the center line of a street in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.

(e) A vehicle shall not overtake and pass another vehicle proceeding in the same direction at any intersection of streets unless permitted to do so by a traffic officer.

Section 6. FOLLOWING TOO CLOSELY.

A motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and to the traffic upon the street.

Section 7. TURNING AT INTERSECTIONS.

(a) A vehicle about to turn to the right at an intersection shall approach such intersection in the lane of traffic nearest the right hand side of the street, and in turning, shall keep as close as practicable to the right hand curb or edge of the street, and, when intending to turn to the left shall approach such intersection in the lane of traffic to the right of, and nearest to, the middle line of the street and in turning shall pass beyond the center of the intersection, passing as close as practicable to the right thereof before turning to the left.

For the purpose of this section, the center of the intersection, shall mean the meeting point of the middle lines of the streets intersecting one another, unless otherwise designated by marker placed in said intersection by order of the Council: Provided that every intersection on which traffic buttons or markers shall be placed by order of the City County, vehicles turning to the left shall follow the course indicated by said buttons.

Section 8. TURNING AROUND ON STREET.

No vehicle shall be turned around upon any street unless said vehicle shall first proceed to the next cross street and shall then make the turn to the left after reaching the center of said cross street, and keeping in the intersection while making the turn.

Section 9.

BACKING.

No person in control of a vehicle shall back the same without giving ample warning by sounding three blasts on the horn; and

while backing care must be exercised not to injure any person or property in the rear. The moving car on the street has the right of way over a car backing from the curb.

Section 10. RIGHT OF WAY AT INTERSECTIONS.

(a) Except as herein otherwise provided, vehicles when approaching or entering an intersection at approximately the same time shall look out for and give the right of way to vehicles on their right, provided, however, that the cars on designated through streets shall, at all times, have the right of way over cars entering such through streets from side streets.

(b) The driver of any vehicle traveling at an unlawful rate of speed shall forfeit any right of way which he might otherwise have hereunder.

(c) A vehicle approaching but not having entered an intersection shall yield the right of way to a vehicle within such intersection and turning therein to the left across the line of travel of such first mentioned vehicle, provided the driver of the vehicle turning to the left has given a plainly visible signal of intention to turn to the left as in this ordinance required.

(d) A vehicle shall yield the right of way to a pedestrian crossing a street on a pedestrian cross way. A pedestrian crossing a street elsewhere than on a pedestrian crossway shall yield the right of way to a vehicle on such street.

Section 11. THROUGH STREET.

The following streets and parts of streets are hereby designated as and declared to be a through street and arterial highway, to-wit: Beginning at the South city limits at 6th Ave. South and 12th St.; thence North along 12th St. to 2nd Ave. South; thence West on 2nd Ave. South to 8th St.; thence North on 8th St. to 3rd Ave. North; thence West on 3rd Ave. North to 6th St.; thence North

on 6th St. to the North city limits; also beginning at the intersection of 8th St. and 3rd Ave. North; thence East along 3rd Ave. North to 9th St.; thence North on 9th St. to 7th Ave. North; thence East on 7th Ave. North to the east city limits, and any driver of a motor vehicle shall bring the said motor vehicle to a full stop before entering said streets. Said vehicle to be stopped within not less than 5 feet nor more than 15 feet from the intersection.

Section 12. ENTERING OR LEAVING BY ALLEY OR PRIVATE DRIVEWAY.

(a) A vehicle entering a street by an alley or private driveway shall yield the right of way to all vehicles approaching on such street.

(b) A vehicle entering a street by an alley or private driveway shall come to a full stop immediately before crossing the nearer sidewalk of such street.

Section 13. SIGNALS ON STARTING, STOPPING AND TURNING.

The driver of any vehicle about to turn, either from a standstill or while in motion, or about to stop, shall give timely signals visible to the operator of other vehicles to the rear, of his intention to turn or stop, or change his course. Such signal shall be given by the use of the hand and arm, or by use of an approved mechanical or electrical device.

When the signals required by this section are given by the use of the hand and arm, they shall be given as follows:

(a) An operator intending to turn his vehicle to the left shall extend hand and arm in a horizontal position for a reasonable length of time and slow down.

(b) An operator intending to turn his vehicle to the right shall extend his hand and arm, with the forearm raised at right angles, for a reasonable length of time and slow down.

(c) An operator intending to stop his vehicle shall extend his hand and arm downward for a reasonable length of time.

When such signal is given by means of a device, it shall be given only by an adequate device which has been approved by the Secretary of State of the state of Idaho.

(d) No vehicle shall be driven on a street of the City of Payette, when such vehicle is so enclosed as to prevent the giving of the signal required in this section.

Section 14. RECKLESS DRIVING.

Any person who drives any vehicle upon any street within the City of Payette, Idaho, carelessly and heedlessly in wilful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of Reckless Driving.

Section 15. SPEED LIMIT.

Every person operating a motor vehicle on a street shall drive the same in a careful and prudent manner, not to exceed Twenty miles per hour and at school houses not to exceed fifteen miles per hour, except that on designated through streets persons operating a motor vehicle may drive the same at a rate of speed not to exceed thirty miles per hour; provided, however, that in no case shall any person operating a motor vehicle on any street within the City of Payette, drive the same at a rate of speed that will endanger the property of another, or the life or limb of any person

Section 16. INTOXICATION AND INABILITY TO CONTROL VEHICLE.

No vehicle shall be driven, run or operated on any street by any person unable to control and properly operate the same with due regard to the safety of the public and other vehicles; Provided, that in all cases any person in a state of intoxication is deemed

conclusively to be unable to control and operate any motor vehicle.

Section 17. POLICE AND FIRE VEHICLES.

(a) Police and fire vehicles, when operated on official business and when the operator thereof shall sound an audible signal by bell, siren or exhaust whistle, shall have the right of way.

(b) Upon the ringing or sounding of the fire bell, siren or exhaust whistle, every vehicle on the streets shall immediately park in accordance with the provisions of this ordinance or if there be no parking space within the block in which the vehicle is then located, the vehicle shall immediately take position as near as possible and parallel to, the right hand edge or curb of the street clear of any intersection of the streets, and shall stop and remain in such position until said fire bell shall cease ringing.

(c) It shall be unlawful for any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm, closer than one block, or to drive into, or park within the portion or portions of the streets bounding the block in which the fire is located or the block where the fire apparatus has stopped in answer to a fire alarm.

Section 18. PROCESSIONS,

No vehicle except apparatus or vehicles of the fire or police departments and U. S. Mail, shall be driven through a procession except with the permission of a police officer.

Section 19. HITCHING ON.

No person shall hitch on to or climb upon any vehicle which is in motion through or upon any street of the City of Payette, with or without the consent of the driver or person in control of such vehicles; and no person when riding upon any motor vehicle shall allow any part of the body to protrude beyond the limits of the vehicle.

Section 20. OBSTRUCTING TRAFFIC.

(a) No vehicle shall so occupy a street as to interfere with or interrupt the passage of other vehicles.

(b) Having due regard to the traffic, the width of the street and other conditions then existing, a vehicle shall not be driven at so slow a speed as to obstruct traffic.

(c) A vehicle shall not stop on a cross walk so as to interfere with the passage of pedestrians.

(d) A vehicle shall not be left standing on a street, sidewalk or parking for purpose of renting, repairing, selling or storing the same.

Section 21. STOPPING ENGINE OF UNATTENDED VEHICLE.

No motor vehicle shall be left standing on a street unattended without its engine being stopped.

Section 22. PREVENTING SMOKE AND NOISE.

(a) A motor vehicle shall not be driven on a street unless such vehicle be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise, annoying smoke and theescape of excessive gas. All exhaust pipes carrying exhaust gasses from the motor shall be directed parallel with the ground or slightly upward.

(b) A muffler cut-out shall not be used on any motor vehicle on any street in Payette.

Section 23. GONGS AND SIRENS.

A gong, siren or exhaust whistle shall not be used on any vehicle other than ambulances, or vehicles operated by a police department, fire department, Sheriff, or other peace officer, nor upon any such vehicle except when moving in response to emergency calls.

Section 24. BRAKES, HORNS, MIRRORS, LIGHTS.

Every motor vehicle operated or driven upon the streets of the City of Payette, shall be provided with adequate brakes, in good

working order and capable of controlling such vehicle at all times when the same is in use, and an adequate horn or other device for signalling sufficient under all conditions to give timely warning of the approach of the vehicle, and shall during the period from one half hour after sunset to one half hour before sunrise, at all times when fog or other atmospheric conditions render the operation of such vehicle dangerous to traffic or the use of the streets, display at least two head lamps of approximately equal strength, one on each side of said vehicle showing white or yellow tinted lights visible at least two hundred feet or more in advance of said vehicle. Such motor vehicle or any trailer attached thereto shall have attached to the rear of such vehicle or trailer not less than one lamp showing a red light visible at least two hundred in the rear of such vehicle, and the same light or additional light casting white rays of sufficient strength on the rear number plate thereof, so that such number plate may be easily read at a distance of at least 60 feet; Provided that motorcycles and bicycles shall be required to carry one lamp in the front thereof which shall show white or yellow tinted rays visible at least two hundred feet in advance of such motorcycles or bicycle; provided further that it shall be unlawful to display any light showing red in the front of any motor vehicle. Every truck, the body of which exceeds six feet in width shall exhibit during the hours of darkness, in addition to the above required lights, a white or green light on the left side of the machine defining the limits of the body of the machine or the overhanging load, if any there be, and beyond the outside thereof. The said light shall be so fixed or carried that the light therefrom may be seen both from the front and rear of said motor truck. Every motor truck, automobile or trailer carrying a load which projects over the rear end four feet or more shall be

required to display a red flag by day and a red light or reflector by night on the extreme rear end of such overhanging or projecting load.

The head lamps of motor vehicles shall be so construed, arranged and adjusted that none of the main bright portions of the head lamp beams shall rise above a horizontal plane passing through the lamp centers parallel to the level road upon which the motor vehicle stands and in no case higher than forty-two inches, twenty-five feet ahead of the vehicle.

The term "beam of light" shall be constructed to mean the reflected rays of light which are projected approximately parallel to the optical axis of the reflector.

It shall be unlawful to display any colored lights with the exception of white and ~~green~~ lamps on the front of any motor vehicle operated on the streets of the City of Payette.

Every owner or operator of any truck or any motor vehicle so constructed or loaded as to prevent an unobstructed view directly to the rear, used on the streets of the City of Payette shall equip such motor vehicle with a mirror or other device to enable the driver thereof to have such a clear and unobstructed view of the rear as will enable him to obey the "Rules of the Road" when overtaken by any other vehicle.

Section 25. WINDSHIELD UNOBSTRUCTED.

It shall be unlawful to operate any motor vehicle upon the streets of the City of Payette upon the windshield or rear vision glass of which there is pasted or attached any card, poster, sticker, advertisement, sign or other device tending in any manner to obstruct the operator's vision, either ahead or to the rear, except official certificates, permits or licenses issued by a State official or the Federal Government.

Section 26. STOP IN EVENT OF ACCIDENT.

Should any pedestrian, vehicle or other object come in contact from any cause, with a moving vehicle on a street, it shall be the duty of the driver of such vehicle to stop and render such aid and assistance as may be required, and in case of injury to persons or damage to any vehicle or property, it shall be the duty of the driver of either vehicle and of any occupant thereof to furnish the driver of the other vehicle or to any occupant of such vehicle, or witness of the accident, or in case of an injured pedestrian, to such pedestrian, the license number of his vehicle, the true name and address of the owner, the name and address of the driver, and of each occupant of said vehicle, and it shall likewise be the duty of any witness of the accident to furnish the driver or occupant of said vehicle or vehicles his, or her true name and address, and the driver of said vehicle or vehicles or any other parties concerned in said accident shall make a written notation of the time, place, date and other data, together with the names and addresses of witnesses present. None of such information, however, shall be construed or determined to fix liability in either case for fault or negligence of either party, but it shall be a means of identification of the facts and circumstances only, and neither party to a collision or injury resulting from a mistake in judgment or arising from accident shall move away from the place of its occurrence without complying with this section.

Section 27. REPORT IN EVENT OF ACCIDENT.

The drivers of all vehicles shall immediately after causing an injury to any person or damage to any vehicle or property, report the same to the police, giving the information obtained as hereinbefore provided.

Section 28. BARRIERS.

A vehicle shall not be driven over or along any street where there is a sign warning persons not to drive, or a sign stating that the street is closed.

Section 29. BROKEN GLASS, NAILS AND THINGS LIKELY TO CAUSE PUNCTURES.

No person shall throw or place in any street or alley any glass, nails or other materials likely to puncture or injure the rubber tire of any vehicle.

Section 30. WIDTH OF VEHICLE.

No vehicle the width of which, with or without its load, exceeds eight feet shall be driven or conveyed through any street unless a permit therefor is previously obtained from the Street Commissioner.

Section 31. DEFECTIVE BED.

No vehicle shall be used in a street for the transportation of any material when the bed of such vehicle is so defective, or when such material is so loaded as to allow such material to be spilled on the street.

Section 32. PARKING.

No vehicle shall be parked within ten feet of any fire hydrant in the City of Payette, and no vehicle shall be parked in front of the fire station on the South side of Third Avenue North between Eight Street and Ninth Street, between a point twenty-five feet West of the entrance to said fire station and a point twenty-five feet East of said entrance to said fire station.

No persons shall leave an automobile or other motor vehicle parked or unattended in an alley within the City of Payette.

No car or other motor vehicle shall be parked nearer than ten feet to any sidewalk crossing.

All cars and motor vehicles parked on Eighth Street between Second Avenue South and Third Avenue North shall be drawn up to the right hand curb at approximately 45 degree angle and the right hand front wheel shall be against the curb.

Section 33. BICYCLES.

No bicycle shall be ridden on the sidewalks of Eighth Street between Second Avenue South and Third Avenue North.

Section 34. TRAFFIC OFFICERS.

When an authorized officer or policeman displaying his star or badge and then discharging the duties of regulating and directing traffic in his locality, shall signal any vehicle to take any direction or stop or otherwise proceed for the safety of the public, it shall be the duty of the driver of such vehicle to obey said direction and to comply with the orders of said officer.

Section 35. PENALTIES.

Any person, firm or corporation who shall violate any provision of this ordinance shall upon conviction thereof be punished by fine not to exceed \$100.00 or by imprisonment in the City jail not to exceed thirty days, or by both such fine and imprisonment in the discretion of the Police Judge.

Section 36. City ordinance No. 289 of the City of Payette, passed by the Council and approved by the Mayor on November 5, 1917, and all ordinance and parts of Ordinance in conflict herewith are, in so far as they conflict herewith, hereby repealed.

Section 37. This ordinance shall be in force and take effect from and after its passage, approval and publication.

Read first time June 24th 1929, Read second time July 1st 1929

July 1st 1929, read third time, passed and approved by the Mayor
August 19th 1929

S. P. Woodward
Mayor

Attest:

Warriet L. Swaenby
City Clerk.

ORDINANCE NO. 380.

By McCarroll

AN ORDINANCE VACATING A PORTION OF THAT CERTAIN ALLEY RUNNING IN A NORTHERLY AND SOUTHERLY DIRECTION AND LYING WEST OF AND ADJOINING LOTS 1 AND 2 OF BLOCK 4 OF PETER'S SECOND ADDITION TO THE CITY OF PAYETTE, IDAHO, AND PROVIDING THAT THE VACATED PORTION SHALL PASS TO AND BECOME A PART OF THE ABUTTING LOTS.

Be it Ordained by the Mayor and Council of the City of Payette, Idaho:

Section 1. . That the following described portion of that certain alley running in a northerly and southerly direction and lying west of and adjoining lots 1 and 2 of block 4 of Peter's ~~Second~~ Addition to the City of Payette, Idaho, and being more particularly described as follows, to-wit:

Beginning at the northwest corner of aforesaid lot 1 and running thence west 15 feet; thence south 62.2 feet more or less to an intersection with the northeasterly side line of River Street; thence in a southeasterly direction along the said side line of River Street to an intersection with the East side of the alley and the west side of said lot 2; thence north 78 feet, more or less, to the place of beginning,

be and the same is hereby vacated.

Section 2. That the portion of said alley so vacated by Section 1 hereof, revert to and become a part of the abutting lots on the east and west sides thereof, respectively.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication.

Passed and approved this 4th day of November A. D. 1929.

J. R. W. [Signature]
Mayor.

ATTEST:

[Signature]
City Clerk.